

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH

RICARDO NOBLE,

Plaintiff,

vs.

JOHN WETZEL, SECRETARY OF PA
D.O.C.; ROBERT GILMORE, SCI
GREENE SUPERINTENDENT; STEVE
LONGSTRETH, SCI GREENE PRISON
COUNSELOR

Defendants,

2:18-CV-01160-MJH

MEMORANDUM ORDER

Before the Court is Plaintiff, Ricardo Noble's, Motion for District Judge per Fed. R. Civ. P. 72(a) and (b) to Decide Plaintiff's Objections (ECF No. 161) to Magistrate's Order. (ECF No. 179). The Court will grant Plaintiff's motion to the extent that Plaintiff's Objections (ECF No. 161) will be decided. In his objections, Mr. Noble requests review of the Magistrate Judge's February 23, 2021 Order, (ECF No. 159), which granted Defendants' Motion to Strike. (ECF No. 151).

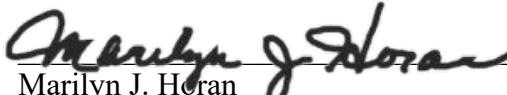
The matters raised by Defendants' Motion to Strike (ECF No. 151) reflect that Plaintiff's Amended Complaint (ECF No. 53), restated factual allegations and included parties that had been previously dismissed by the Magistrate Judge's Report and Recommendation, which was adopted by the District Court. (ECF Nos. 45 and 51). Because Plaintiff's Amended Complaint contained matters that had been previously ruled upon and dismissed, the Magistrate Judge properly granted Defendant's Motion to Strike. Upon review of the matters raised by Mr. Noble's objections and under Fed. R. Civ. P. 72, the Court concludes that the Magistrate Judge's February 23, 2021 Order (ECF No. 159) is neither clearly erroneous nor contrary to law.

Accordingly, because he has not shown that the magistrate judge's ruling was clearly erroneous or contrary to law, Mr. Noble's Objections are **OVERRULED**.

IT IS SO ORDERED.

Dated: May 10, 2021

By the Court:


Marilyn J. Horan
United States District Judge

cc: Ricardo Noble
BX-9351
SCI Fayette
50 Overlook Drive
LaBelle, PA 15450